



CENTRAL INFORMATION COMMISSION

**Baba Gang Nath Marg, Munirka,
New Delhi – 110 067**

Sh. Kewal Chand

....Appellant

VERSUS

Central Information Commission

.....Respondent

Case No :

1. CIC/AA/A/2019/239
2. CICOM/A/2019/00177
3. CICOM/R/2019/00638

Brief facts:

1. Sh. Kewal Chand, Appellant sought the following information vide his RTI application dated 16/08/2019:

“Provide on certified copy, the action taken on the application dated 18/07/2019 moved by the applicant before your good self which has been diarised vide diary no. 135058 dated 27/07/2019 by your good office along with certified copy of the said application.”

2. Sh. H.P. Sen, DO to IC (DP) and concerned CPIO vide his letter dated 06/09/2019 replied to the RTI application of the Applicant mentioned therein that no record is available about the action taken on application dated 18/07/2019.

3. The Appellant, being dissatisfied with the reply sent by the CPIO, filed a First Appeal dated 20/09/2019 before the First Appellate Authority and has further made submissions in the matter.

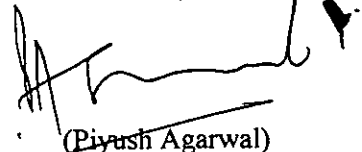
Decision:

1. On perusal of the RTI application, reply of the CPIOs and the First Appeal filed by the Appellant in this matter, it has been observed that the Appellant had sought certified copy of the action taken on the application dated 18/07/2019 moved by the Appellant which was diarised vide dy. No. 135058 dated 27/07/2019 in the Commission. Sh. H.P. Sen, concerned CPIO sent a reply dated 06/09/2019 to the Appellant in response to his RTI application clearly mentioning therein that no record is available about action taken on the application dated 18/07/2019 filed by the Appellant before the Commission. I am of the considered view that the CPIO has already sent a proper reply that no information is available with him. Also, the CPIO is only under the legal obligation to provide the information available with him, if no information is available, he is not supposed to generate or create the information as suits the Appellant.

2. Hence, the Appeal is dismissed being devoid of merits.

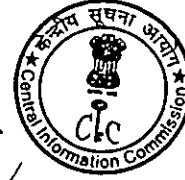


Sh. Kewal Chand is further informed if he is not satisfied with the order of the undersigned, he is free to file a Second Appeal under Section 19 (1) of the RTI Act, 2005 before the Hon'ble Information Commissioner Sh. Divya Prakash Sinha at the above mentioned address within a period of 90 days from the date of receipt of this order.


(Piyush Agarwal)
Registrar & First Appellate Authority
17/10/2019

To:

Sh. Kewal Chand
R/o Qtr No. 42/3,
MES Colony, Nalwa Road,
Jalandhar Cantt-144005
M.No. 90411487589



Copy To:

1. Sh. H.P. Sen
DO to IC (DP) and concerned CPIO
Central Information Commission


21/10/19

2. Sh. T.B.J.S. Rajappa
Nodal CPIO (RTI Cell)
Central Information Commission


21/10/19

